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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent of

GHISALBERTI

Atty. Ref.: 4662-1627

Patent No. 6,953,583

Serial No.: 10/088,004

Issued: October 11, 2005

RECEIVED

For: USE OF CONJUGATED LINOLEIC ACID (CLA) FOR
THE TOPICAL TREATMENT OF CELLULITE

AUG 27 2010

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OFFICE OF PETITIONS

August 19, 2010

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**NOTIFICATION OF LOSS OF ENTITLEMENT TO
SMALL ENTITY STATUS PURSUANT TO
37 CFR §1.27(g)(2) AND PAYMENT OF DEFICIENCY IN
MAINTENANCE FEE PURSUANT TO 37 CFR 1.28(c)**

Notification pursuant to 37 CFR §§ 1.27(g)(2) and 1.28(c) is hereby given of a change in status resulting in a loss of entitlement to small entity status by DSM IP ASSETS B.V., the assignee in the above-identified patent, which was only recently discovered subsequent to the payment of the first maintenance fee on March 30, 2009. The deficiency between the amount paid and the amount due (\$490.00) is enclosed herewith. The undersigned registered attorney of record was first became aware of this change in status in a review of certain patents recently acquired by the assignee. Apparently the change in status occurred in 2007. On information and belief the small entity fees were paid in good faith on March 30, 2009 but has now discovered that small entity status was erroneous.

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Thus, although small entity status was established in good faith at the time of issuance of this patent, it was discovered subsequent to the payment of the first maintenance fee that DSM IP ASSETS B.V., the current assignee in the present patent, is not entitled to small entity status for this patent.

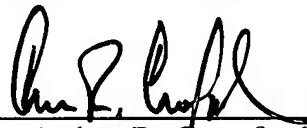
Accordingly, notification of same pursuant to 37 CFR 1.28(c) along with the deficiency in the maintenance fee between the amount paid and that which is due is hereby furnished. Acceptance of this change in status and correction of USPTO records in this regard is requested.

The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this patent by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



Arthur R. Crawford
Reg. No. 25,327

ARC:eaw
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100